

Docket No. 217943US0X CONT  
IN RE APPLICATION OF: Adriana S. HEMERLY, et al.  
SERIAL NO: 10/036,492  
FILED: January 7, 2002  
FOR: PLANT PROTEINS



ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is a Preliminary Amendment and Statement w/ Marked-Up Copy (15 pp.) in the above-identified application.

- ☐ No additional fee is required
- ☒ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Notice To File Missing Parts of Nonprovisional Application - Return Copy  
Statement Under 37 C.F.R. § 1.821(F)-(G)  
Sequence Listing w/Computer-Readable Diskette (42 pp., 1 Diskette)  
Filing of Declaration Under 37 C.F.R. § 153(f)  
Combined Declaration for Patent Application and Power of Attorney (2 pp., executed)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	28	MINUS	20	8	× \$18 =	\$144.00
INDEPENDENT	3	MINUS	3	0	× \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		<input type="checkbox"/> Basic Filing Fee			+ \$740 =	\$740.00
		<input checked="" type="checkbox"/> Late Filing of Declaration			+ \$130 =	\$130.00
		Total of Above				\$1,014.00
		REDUCTION BY 50% FOR FILING BY SMALL ENTITY				(\$507.00)
		TOTAL DUE				\$507.00

☐ A check in the amount of \_\_\_\_\_ is attached.

- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

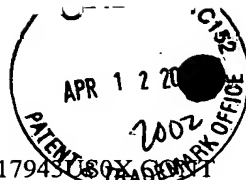
Norman F. Oblon  
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Thomas M. Cunningham  
Registration No. 45,394



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Thomas M. Cunningham  
 Registration No. 45,394

Docket No.

217943US0X CONT

*mail date  
4/12/2*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Adriana S. HEMERLY, et al.

SERIAL NUMBER: 10/036,492

ATTN: APPLICATION BRANCH

FILING DATE: January 7, 2002

FOR: PLANT PROTEINS

**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated February 12, 2002, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee is enclosed herewith.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Norman F. Oblon

Attorney of Record

Registration No. 24,618

Thomas M. Cunningham

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/036,492	01/07/2002	Adriana Silva Hemerly	217943US0XPCT

CONFIRMATION NO. 3581

## FORMALITIES LETTER



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1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VA 22202

Date Mailed: 02/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$72.
  - \$72 for 8 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 507.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

370.00 OP  
72.00 OP  
65.00 OP

04/16/2002 AD5HAN1 00000086 10036492

01 FC:201  
02 FC:203  
03 FC:205

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

*HA*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE